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in Possession*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:

EASY STREET HOLDING, LLC, *et al.*,

Debtors.

Address: 201 Heber Avenue
Park City, UT 84060

Tax ID Numbers:
35-2183713 (Easy Street Holding, LLC),
20-4502979 (Easy Street Partners, LLC), and
84-1685764 (Easy Street Mezzanine, LLC)

Bankr. Case No. 09-29905
Jointly Administered with Bankr. Case Nos.
09-29907 and 09-29908

Chapter 11

Honorable R. Kimball Mosier

[FILED ELECTRONICALLY]

**NOTICE OF HEARING ON JOINT MOTION TO APPROVE AMENDMENT TO
STIPULATION AUTHORIZING USE OF CASH COLLATERAL PURSUANT TO 11
U.S.C. § 363 AND GRANTING ADEQUATE PROTECTION TO WESTLB, AG**

PLEASE TAKE NOTICE that Easy Street Partners, LLC ("Easy Street"), Easy Street Holding, LLC, and Easy Street Mezzanine, LLC (together, the "Debtors") and WestLB, AG ("WestLB") (together, the Debtors and WestLB will be referred to as the "Movants") have filed a **Joint Motion to Approve Amendment to Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG** (the "Motion").

PLEASE TAKE FURTHER NOTICE that the Motion requests that the Court approve an agreement by and between the Movants amending the Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG [Docket No. 84], as amended by that certain Amendment to Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG – Amended Exhibit C (Bank Accounts) filed on or about October 13, 2009 [Docket No. 91] (as amended, the "Stipulation"), and as further modified and approved by this Court's Order on Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG [Docket No. 95] (the "Cash Collateral Order"). Subject to approval by the Court, the Stipulation and Cash Collateral Order will be modified to (i) make certain administrative amendments that simplify Easy Street's cash management structure, (ii) to provide WestLB further adequate protection in the form of increased monthly payments, and (iii) to remove a previous provision of the Stipulation and Cash Collateral Order requiring Easy Street to hold \$1.7 million in certain accounts.

PLEASE TAKE FURTHER NOTICE that copies of the Motion have been served on the United States Trustee's office for the District of Utah, counsel for the Debtors' prepetition

secured lenders, counsel for the Unsecured Creditors Committee, the twenty largest unsecured creditors, certain governmental entities, and on parties who have entered an appearance. If you do not receive a copy of the Motion, you may obtain a copy of the Motion by requesting it from the undersigned counsel.

PLEASE TAKE FURTHER NOTICE that your rights may be affected. You should read this Notice and the Motion carefully and discuss them with your attorney, if you have one in this bankruptcy case.

PLEASE TAKE FURTHER NOTICE that if you do not want the Bankruptcy Court to approve the Motion, or if you want the Bankruptcy Court to consider your views on the Motion, then you or your attorney must file with the Bankruptcy Court and serve on the undersigned counsel for the Debtors and for WestLB a written objection to the Motion in conformity with Rule 9013-1 of the Bankruptcy Court's local rules of practice so that it is received , **on or before 12:00 noon, Friday, December 11, 2009**. Your objection must be filed at:

Clerk
United States Bankruptcy Court
350 South Main Street, # 301
Salt Lake City, Utah 84101

The Movants have filed an *Ex Parte* Motion to Shorten Time on the Motion, requesting that the Court approve this objection deadline.

PLEASE TAKE FURTHER NOTICE that, if you mail your objection to the Bankruptcy Court for filing, you must mail it early enough so the Court will receive it on or before the time and date stated above. You must also serve your objection on the undersigned counsel for the Debtor and on other parties in interest.

PLEASE TAKE FURTHER NOTICE that the Motion will come on for an evidentiary hearing before the Honorable R. Kimball Mosier, United States Bankruptcy Judge, on **Monday, December 14, 2009, at 2:00 p.m., MST**, in his courtroom, Room 369 of the Frank E. Moss United States Courthouse, 350 South Main Street, Salt Lake City, Utah 84101. You or your attorney must attend the hearing on the Motion if you want your objection to be considered by the Bankruptcy Court. Hearing on the Motion may be continued from time to time without further notice, except the announcement in open court of the time and place of such continued hearing.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 9013-1(c) of the Bankruptcy Court's local rules of practice, absent timely filing and service of objections to the Motion, the Movants may ask that the Court to approve the Motion without further notice or hearing. Additionally, upon the resolution of any timely filed and served objections to the Motion, the Movants may ask the Bankruptcy Court to approve the Motion without further notice or hearing.

DATED this 25th day of November, 2009.

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